RICHARD R. WILSON, P.C.

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851 Twelfth Street Oakmont, PA 15139

June 30, 2011

ENTERED Office of Proceedings

JUL 13 2011

Part of Public Record

Ms. Rachel Campbell
Office of Proceedings
Surface Transportation Board
395 E. Street, SW
Washington, DC 20423-0001

Re: Allegheny Valley Railroad Company – Petition for Declaratory Order – The Buncher Company; STB Finance Docket No. 35239

Dear Ms. Campbell:

Enclosed for filing please find an article published June 14, 2011 in the *Pittsburgh Post Gazette* regarding ongoing plans to demolish the Pittsburgh Produce Terminal in the Pittsburgh, PA Strip District. Allegheny Valley Railroad Company's Opening Statement of Facts and Argument filed May 10, 2011 in the remanded proceeding made reference to these developments. The purpose of this submission is to update the record regarding these matters presently before the Board.

Very truly yours,

RICHARD R. WILSON, P.C.

Richard R. Wilson, Esq.

Attorney for Allegheny Valley Railroad Company

RRW/bab Enclosure

xc: Edward, Fishman, Esq.

Allegheny Valley Railroad Company

Inside Neighborhoods: City Last West North

Sough Washington Westmoreland

Strip District produce terminal on a trail to demolition

Part of Strip 'icon' would be razed

Tuesday June 14, 2011 By Mark Belko, Pritsburgh Post-Gazette

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City Urban Redevelopment Authority officials have plans to demolish the western portion of the five-block-long produce terminal on Smallman Street as part of a proposed development along the Allegheny River.

In conjunction with the Buncher Co., the URA has filed a request to initiate consultation with the Pennsylvania Historical and Museum Commission over the proposed razing.

It is seeking to tear down a section of the terminal between the 16th Street Bridge and 17th Street, or about 528 feet of the 1,478-foot-long building.

Even as it described the terminal as a "Pittsburgh icon," the URA argued that its length and unbroken nature "inhibits the development of the Allegheny River frontage."

"The combination of the terminal and the 16th Street Bridge creates barriers that limit redevelopment of the area to the 'gated community'-type project, and reduce the opportunity for public access to the river," it wrote in its application to the state.

"Removing a block of the produce terminal allows the riverfront connection, and allows the new development of the riverfront parcel the visual and physical connection to the rest of the city that will allow the new development the greatest chance of success."

Rob Stephany, URA executive director, said the portion to be demolished might have been an addition to the original terminal. Under the proposal, about two-thirds of the building would be renovated and restored, he said.

In its existing state, the terminal "is by all intent a wall that severs the heart of the Strip District from the riverfront," he said.

Once the demolition takes place, Buncher plans to extend 17th Street and reconstruct 21st Street to the river; upgrade water, sewer and electric lines; and install new sidewalks and street lighting. It is also proposing to build a new street on the river side of the produce terminal that would parallel Smallman Street.

What remains of the building would be rehabilitated and operated as a commercial/retail facility. Potential tenants include restaurants, offices and "modest retail."

The Pittsburgh Public Market, now located in the section that would be demolished, would probably be relocated and serve as the "new end cap" of the terminal, Mr. Stephany said.

He acknowledged that the redevelopment probably would spell the end for the handful of produce wholesalers -- the group that made the Strip famous -- that now occupy about 43 percent of the terminal. They "likely will have to move," he said.

With more than a third of the terminal removed, Buncher is proposing to erect one residential building consisting of at least 75 units on the river side of the complex and a four-story, mixed-use commercial building adjacent to the 16th Street Bridge at Smallman Street.

Buncher officials could not be reached for comment.

The proposal is drawing scrutiny from the preservation community.

Arthur Ziegler, president of the Pittsburgh History and Landmarks Foundation, said his group had been working with the URA and Buncher to try to craft a solution agreeable to everyone.

"I would like to see it all retained. We want to be practical because we want to see the Strip developed along the river. So we all have to work together to see what the best solution is," he said. "We want a positive result for the Strip District, but at the same time we want to retain this structure that's so significant in its history and so defining on Smallman Street."

Mr. Ziegler added that as an alternative to demolition, he would like to take a closer look at the idea of creating passageways through parts of the building for pedestrians or perhaps vehicles.

While Preservation Pittsburgh would prefer to see the entire terminal remain, it also realizes that compromise may make the best economic sense, said Scott Leib, the group's president. It has yet to take a formal position on the demolition.

Mr. Leib added that he did like Buncher's plan to rehabilitate the two-thirds of the building that would remain. "The restoration work will be very authentic," he said.

The URA would like to begin the demolition in the next six to 12 months, Mr. Stephany said. He did not have a cost estimate for the work on Monday. The state Historical and Museum Commission must approve any changes to historic properties if there could be federal funding involved.

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In making the case for demolition, the URA said the building's historical use as a produce terminal was not sustainable. It said demand for such space was limited and that the rent didn't offer a "sustainable return." Produce wholesalers now lease the space for \$4 a square foot, compared to market rates of \$6 to \$7 a square foot, according to the application.

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Inside Neighborhoods:

Last West North

South Washington Westmoreland

Strip District produce terminal on a trail to demolition

Part of Strip 'icon' would be razed

Tuesday June 14 2011 By Mark Selko, Pritsburgh Post-Gazette

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